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Attorneys for Plaintiff
United States of America

IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Plaintiff,

v.

J. DESHAWN TORRENCE,

Defendant.

CASE NO. 1:22-CR-00207-JLT-SKO

STIPULATION REGARDING EXCLUDABLE
TIME PERIODS UNDER SPEEDY TRIAL ACT;
ORDER

DATE: September 24, 2024

TIME: 8:30 a.m.

COURT: Hon. Jennifer L. Thurston

STIPULATION

Plaintiff United States of America, by and through its counsel of record, and defendants, by and through defendants' counsel of record, hereby stipulate as follows:

1. By previous order, this matter was set for trial on September 24, 2024.
2. By this stipulation, defendant now moves to continue the trial until January 14, 2025, and to exclude time between September 24, 2024, and January 14, 2025, under 18 U.S.C. § 3161(h)(7)(A), B(iv) [Local Code T4].
3. The parties agree and stipulate, and request that the Court find the following:
 - a) The government has represented that the discovery associated with this case

1 consists of 80,671 pages of material, some of which was recently produced in connection with a
2 new charge relating to a new victim, as alleged in a superseding indictment which was returned
3 on June 6, 2024. The government has further represented to the defense that its investigation is
4 ongoing.

5 b) Counsel for defendant requires additional time to review the additional discovery
6 material and consult with his client.

7 c) Counsel for defendant believes that failure to grant the above-requested
8 continuance would deny them the reasonable time necessary for effective preparation, taking into
9 account the exercise of due diligence.

10 d) Counsel for the parties further agree that a continuance is necessary to
11 accommodate the trial schedule of counsel. In the next week or two, counsel for defendant is
12 starting a lengthy trial in Madera County Superior Court involving 96 counts of alleged sexual
13 misconduct by a correctional officer. On October 4, 2024, co-counsel for the government is
14 committed the retrial of a high-profile civil rights case.

15 e) Based on the above-stated findings, the ends of justice served by continuing the
16 case as requested outweigh the interest of the public and the defendant in a trial within the
17 original date prescribed by the Speedy Trial Act.

18 f) For the purpose of computing time under the Speedy Trial Act, 18 U.S.C. § 3161,
19 et seq., within which trial must commence, the time period of September 24, 2024 to January 14,
20 2025, inclusive, is deemed excludable pursuant to 18 U.S.C. § 3161(h)(7)(A), B(iv) [Local Code
21 T4] because it results from a continuance granted by the Court at defendant's request on the basis
22 of the Court's finding that the ends of justice served by taking such action outweigh the best
23 interest of the public and the defendants in a speedy trial.

24 4. Nothing in this stipulation and order shall preclude a finding that other provisions of the
25 Speedy Trial Act dictate that additional time periods are excludable from the period within which a trial
26 must commence.

27 IT IS SO STIPULATED.
28

1 Dated: July 25, 2024

PHILLIP A. TALBERT
United States Attorney

2
3 /s/ KAREN A. ESCOBAR
KAREN A. ESCOBAR
4 Assistant United States Attorney

5 Dated: July 25, 2024

KRISTEN CLARKE
Assistant Attorney General
Civil Rights Division

7 /s/ MICHAEL J. SONGER
8 MICHAEL J. SONGER
Special Litigation Counsel
9 U.S. Department of Justice
Criminal Section, Civil Rights Division

10 Dated: July 25, 2024

11 /s/ Roger D. Wilson
ROGER D. WILSON
12 Counsel for Defendant J. DeShawn Torrence

13
14
15 **ORDER**

16
17 IT IS SO FOUND.

18 IT IS SO ORDERED.

19 Dated: **July 26, 2024**

20 
UNITED STATES DISTRICT JUDGE